



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANT: Wyatt

SERIAL NO.: 09/544,508

ATTY. DOCKET NO.: MCO-P-00-001

EXAMINER: T. Dixon

FILING DATE: April 6, 2000

GROUP ART: 3629

INVENTION: "A METHOD AND A SYSTEM FOR PROVIDING BED
AVAILABILITY INFORMATION ON A COMPUTER NETWORK"

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Final Rejection dated August 3, 2004 in which the Examiner finally rejected Claims 1-10 and 14-19.

Enclosed herewith is a check in the amount of \$165.00, the requisite fee for filing this Notice. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-0595. **A duplicate of this Notice is enclosed for this purpose.**

Additionally, Applicant requests a refund of the \$165.00 fee for filing of this Notice of Appeal. More specifically, Applicant respectfully submits that this Notice is being submitted as a result of the Patent Office re-opening prosecution after Applicant filed an Appeal Brief and previously paid the Notice of Appeal fee; therefore, Applicant is entitled to a refund of this fee as well as the fee for filing the previous Appeal Brief. Applicant authorizes

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the Patent Office to credit Applicant's deposit account to refund these previously paid fees.

Respectfully submitted,



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ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this **NOTICE OF APPEAL** and check for **\$165.00** are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 7, 2004.



Brian M. Mattson (Reg. No. 35,018)